



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 25, 2008

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of The Single Family Design Board Approval Of 1057 Arbolado Road

RECOMMENDATION:

That the Council deny the appeal of Jacqueline M. Page and Joyce Siefker Searls, and uphold the Single Family Design Board Preliminary Approval for proposed additions and alterations to the existing one-story, single-family residence for Ann S. De Bruyn Kops at 1057 Arbolado Road.

EXECUTIVE SUMMARY:

On September 29, 2008, the Single Family Design Board (SFDB) granted preliminary approval for one- and two-story additions and alterations to the existing one-story single-family residence at 1057 Arbolado Road. Two neighbors have filed an appeal regarding the approval. The appellants request that Council deny the project (see Attachment 1), asserting that the additions and alterations to the residence should not have been approved and will:

- Negatively impact the privacy of the appellant, Ms. Page, at 1054 Arbolado Road;
- Not be compatible with the existing homes on the downhill side of Arbolado Road which mostly have one-story profiles, or have under stories, or are designed so they do not block views;
- Block public views of the town, harbor, and ocean from Arbolado Road and Roble Lane.

Staff believes that the SFDB considered the concerns of the appellants and other neighbors at several hearings. As part of the SFDB review of the project, significant changes were made to the project designs which were primarily intended to minimize potential private view blockage and loss of privacy impacts. The project's design was improved by shifting the second-story mass, lowering roof and plate heights, eliminating and reducing second-floor decks, and reducing and eliminating chimneys and architectural projections. Staff believes the proposed project is consistent with all applicable good neighbor policies and Hillside Design Guidelines and that the SFDB made the appropriate

Neighborhood Preservation Ordinance (NPO) findings required to approve the project. Staff recommends that Council deny the appeal and uphold the SFDB approval.

DISCUSSION:

Project Description

The project site is located in the Hillside Design District within the Riviera neighborhood. The 13,504 square foot lot is situated on the corner of Arbolado Road and Roble Drive approximately one block north of Alameda Padre Serra. The project is directly across the street from the appellants' homes (Attachment 2). The project involves additions and remodeling for an existing one-story, 2,024 square foot single-family residence, including a 531 square foot attached two-car garage. Proposed additions consist of a new 636 square foot second story, 620 square feet at the first floor, and demolition of 189 square feet on the first floor. The project includes 331 square feet of second-story decks, replacement of all roofing, complete exterior remodel, demolition of 1,070 square feet of patio, 681 square feet of new first-floor patio, repaving the driveway, and 50 cubic yards of fill grading. Zoning modifications were approved for additions and alterations in the front setback, and for part of the required open yard to be provided in the front yard. The proposed total of 3,091 square feet is 74% of the maximum allowable Floor-To-Lot-Area-Ratio (FAR).

Single Family Design Board Approval

The SFDB initially reviewed the project designed by Mike Gones on October 15, 2007, and determined that the project should be restudied to reduce size, bulk, and scale, particularly of a tower and stair element. The Board considered the comments of several neighbors concerned about the height of the project and the blockage of private views. The Board indicated a requirement for story poles if a two-story proposal returned (Attachment 3).

The project returned to SFDB for review of a completely new design by Jeff Shelton on May 12, 2008. Story poles were in place before the hearing. The new design had the second-story moved eastward on the property to reduce view impacts. The second-story mass was placed downhill from the higher part of Arbolado Road as the road goes up the hillside. The total size was reduced, height was lowered, the second story was reduced, and second-floor decks were increased in size. The Board moved to continue the project indefinitely for the applicant to study reducing the height of the two-story element as much as possible. A straw vote of the six Board members present showed unanimous support for a two-story element on the property.

Story poles were installed for the May 27, 2008 hearing, which demonstrated that the project was revised by lowering the height, expanding the first and second floors toward the north, and pushing back the south face of the second story. Floor area increased, including increases to the second floor and second-floor deck area. The Board moved

to send the project to the Staff Hearing Officer, and on July 2, 2008, the Staff Hearing Officer approved modifications to allow alterations and additions within the front setback, and for part of the required open yard area to be provided in the front yard (Attachment 4).

On September 15, 2008 the project returned to the SFDB with total floor area reduced by 129 net square feet, the second floor reduced by 62 square feet, a second-floor deck moved to the south side of the house, and second-floor deck area reduced by 250 square feet. The Board moved to continue the project for two weeks with direction to remove a second-story deck over the front entry, redesign a parapet roof element, limit the western extent of the second-story deck, restudy the vertical projections and chimneys, and return with color and material samples.

Two weeks later on September 29, 2008 the project returned to the SFDB with refinements and second-story decks increased in size. Having addressed all prior comments, the project received Preliminary Approval with direction to return for an in-progress review of details. (A table showing a summary of the changes between reviews is found in Attachment 5).

Appeal Issues

The appellants list three reasons for their appeal. There is concern about a negative impact to the privacy of the appellant, Ms. Page at 1054 Arbolado Road. Ms. Page has a pool and deck area located in her front yard which would be visible from the new second-story deck. Single family residential project approvals require Neighborhood Preservation Ordinance (NPO) findings. NPO finding 6, Good Neighbor Guidelines, states that "The project generally complies with applicable privacy, landscaping, noise, and lighting Good Neighbor Guidelines." The appellants feel that a deck at the second-floor level that would allow people standing there to have an elevated viewpoint above street level into the pool and deck area of 1054 Arbolado Road is inappropriate.

The appellants believe that the project is not compatible with the existing homes on the downhill side of Arbolado Road and state that "Those homes have mostly single story profiles, a few with under stories and a quiet presence from the road. Those homes that do have two stories are designed so that they do not inappropriately affect public or private views." NPO finding 2, Compatibility, states that "The proposed development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and neighborhood." The appellants also assert that the proposal's various roof styles, roof heights, and materials are not compatible with the neighborhood.

The appellants are concerned that the project will significantly impact the public's views of the town, harbor, and ocean from Arbolado Road and Roble Lane. They feel that the intersection of Arbolado Road and Roble Lane, with the adjacent existing one-story house offers an open area with scenic views for the public. NPO finding 7, Public Views, states

that “The development, including proposed structures and grading, will preserve any existing significant public scenic views of and from the hillside.”

Staff's Position:

Staff believes that the SFDB fulfilled its role and approved a project that balances the applicant's wishes with the concerns of the neighborhood. The project meets the intent of the NPO and applicable single-family residence design guidelines. Numerous public speakers made comments at the hearings and submitted letters to the Board. Staff believes that the SFDB not only heard and considered these comments, but they required revisions to the project based on public comment. The Board members also gave direction based on their own expertise. The applicant was very cooperative and complied with the direction from the Board. Once the project was revised to what seemed to be the best compromise of massing, form, and architectural style and quality to satisfy concerned neighbors and the applicant, the Board made the NPO findings and granted Preliminary Approval.

Staff believes that the project meets good neighbor guidelines regarding privacy. The appellants are concerned about privacy impacts to 1054 Arbolado Road from the project's second-story deck. The location of the deck meets the guidelines in that it is located away from property lines and is at the front of the house, facing Roble Lane. The privacy guidelines focus on providing privacy to side and rear neighbors and for downhill neighbors. They do consider that there may be privacy impacts to neighbors across the street. The deck does allow people to view towards the north, towards 1054 Arbolado Road located across the street and uphill from 1057 Arbolado Road. Screening this northward view was rejected by the applicants because they prefer to maintain views of the Riviera and the mountains, also the appellants do not want screening that would encroach on their views looking over the house. The outdoor living area with the pool and deck at 1054 Arbolado Road is located in the front yard. Generally, privacy is not expected to be preserved in front yards unless it is provided by one's own screening. It is not expected that privacy for an outdoor living area in a front yard be maintained by the design and screening of neighboring properties.

Staff is of the opinion that proposed project is compatible with the neighborhood because the size of the project and the size of the second story are reasonable, the massing is sensitively placed, and the beauty and quality of the architecture will be an asset to the neighborhood. Furthermore, two-story houses and view decks are common in this part of the Riviera. The subject property has particular constraints in being roughly triangular with two of the sides being front yards. Zoning modifications were approved to allow the existing garage to be remodeled and part of the first-floor addition within the front setback, and for the addition to encroach into the open yard area. The project's location in the Hillside Design District requires that its scale be appropriate, and its appearance and height be minimized. Staff believes the project does this because the size is 74% of the maximum floor-to-lot-area ratio, the building height is

21.75 feet, the mass is broken up and conforms to the slope of Arbolado Road, and the style is appropriate for Santa Barbara.

Staff disagrees with the appellant's assertion that the public's views of the town, harbor, and ocean from Arbolado Road and Roble Lane will be significantly impacted and that all views from public streets require protection from view blockage. While they can offer spectacular views, all the streets in the Riviera are not designated as scenic by the City and are not considered to be significant public scenic viewpoints or given the same consideration as streets such as Cabrillo Boulevard, Shoreline Drive or public spaces and parks. Although potential impacts to the private scenic views of neighbors are now *considered* as part of the SFDB review of projects, the City and the SFDB encourage the use of the "Good Neighbor Tips" in the "Single Family Residence Design Guidelines" to reasonably consider private views. The SFDB heard public comment, discussed the issue at length, and required extensive revisions to this project to lessen view impacts to the neighbors.

Finally, as previously discussed, the SFDB spent considerable time reviewing the project design. Story poles were erected and site visits were completed by SFDB members. The mass of the second story was reduced and moved to the east and north to keep an open view from the area of the intersection of Arbolado Road and Roble Lane. The building height was reduced from 26 feet to 21.75 feet, upper deck area was reduced, and chimneys and vertical projections were reduced in height and number. Based on these project design changes, Staff believes the SFDB's project approval should be supported.

CONCLUSION:

Staff recommends that Council deny the appeal and uphold the decision of the Single Family Design Board and approve the project making the NPO findings outlined below.

Neighborhood Preservation Ordinance Findings (SBMC §22.69.050)

1. **Consistency and Appearance.** The proposed development is consistent with the scenic character of the City and will enhance the appearance of the neighborhood by proposing an architectural style consistent with the area and the City.
2. **Compatibility.** The proposed development is compatible with the neighborhood, and its size, bulk, and scale are appropriate to the site and neighborhood. The size of the second story has been minimized and fits in with the neighborhood of predominantly two-story houses. The proposed size is 74% of the maximum FAR.
3. **Quality Architecture and Materials.** The proposed buildings and structures are designed with quality architectural details. The proposed materials and colors are appropriate for this hillside neighborhood. The proposed massing follows the grade of Arbolado Road.

4. **Trees.** The proposed project does not include the removal of or significantly impact any designated Specimen Tree, Historic Tree or Landmark Tree, or any other trees.
5. **Health, Safety, and Welfare.** The public health, safety, and welfare are appropriately protected and preserved.
6. **Good Neighbor Guidelines.** The project generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting. The proposed second-story decks have been minimized and oriented away from neighbors.
7. **Public Views.** The development, including proposed structures and grading, preserves significant public scenic views of and from the hillside since the development is of small scale and limited grading is proposed.

NOTE: The documents listed below have been separately delivered to the City Council for their review and are available for public review in the City Clerk's Office:

- Public Comment Letters
- Project Plans

ATTACHMENTS:

1. Appellants' letter dated October 7, 2008
2. Site Vicinity Map
3. Single Family Design Board Minutes from October 15, 2007, May 12, 2008, May 27, 2008, September 15, 2008, and September 29, 2008.
4. Staff Hearing Officer Minutes from July 2, 2008
5. Summary of reviews

PREPARED BY: Tony Boughman, Planning Technician II

SUBMITTED BY: Paul Casey, Community Development Director.

APPROVED BY: City Administrator's Office

RECEIVED

October 7, 2008

City Council
Of the City of Santa Barbara
745 Anacapa St.
Santa Barbara, Ca
Attn: City Clerk

OCT 09 2008
11:05 a.m. BEA
CITY CLERK'S OFFICE
SANTA BARBARA, CA

Subject: Appeal of SFDB Approval of MST2007-00462

Dear City Council,

We write to appeal the decision of the Single Family Design Review Board granting preliminary design approval for the remodel of 1057 Arbolado Road at the SFDB meeting held on September 29, 2008. The application number for the project is MST2007-00462.

We appeal on the following grounds:

First, there is great concern for the privacy of neighbors, especially for one of the appellant neighbors, Jacqui Page directly across the street at 1054 Arbolado Rd. The approved rooftop entertainment deck provides a clear view from above into Ms. Page's pool and deck area, and is inappropriate for this hillside location.

Second, this design is inconsistent with the other homes on the downhill side of Arbolado. Those homes have mostly single story profiles, a few with under stories and a quiet presence from the road. Those homes that do have two stories are designed so that they do not inappropriately affect public or private views.

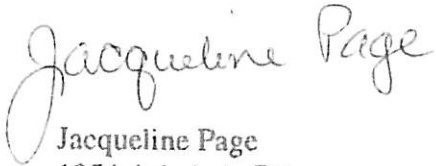
Third, the public's view of the town, harbor and ocean from the road for walkers and cars parking at this scenic spot is significantly impacted by this design. The existing one story home is on a triangular shaped lot, in the most prominent location in the area at the juncture of two very important cross-Riveria streets. The addition of a 2nd story and roof top decks blocks a significant portion of the scenic view from these streets. At the moment, this point is not as readily obvious, because the foliage has been allowed to grow up around the house for almost two years, so the impact of the story poles is

not readily seen. If the City's hedge height ordinance is enforced the inappropriate impact of the proposed structure will be apparent.

And lastly, the approved design with it's 9' and 10' ceiling heights, multiple roof materials at differing angles and use of the roof as an entertainment area will not maintain the appropriate minimizing effect for this highly sensitive location. By contrast, the gentle hip roof and slate grey shingles of the existing home (which would be demolished under this approval) blends well with the hillside area by minimizing the visual appearance and the over-all height of the structure, so as not to disrupt views from and to the hillside.

Enclosed is the \$360 filing fee for this appeal.

Thank you for your consideration.

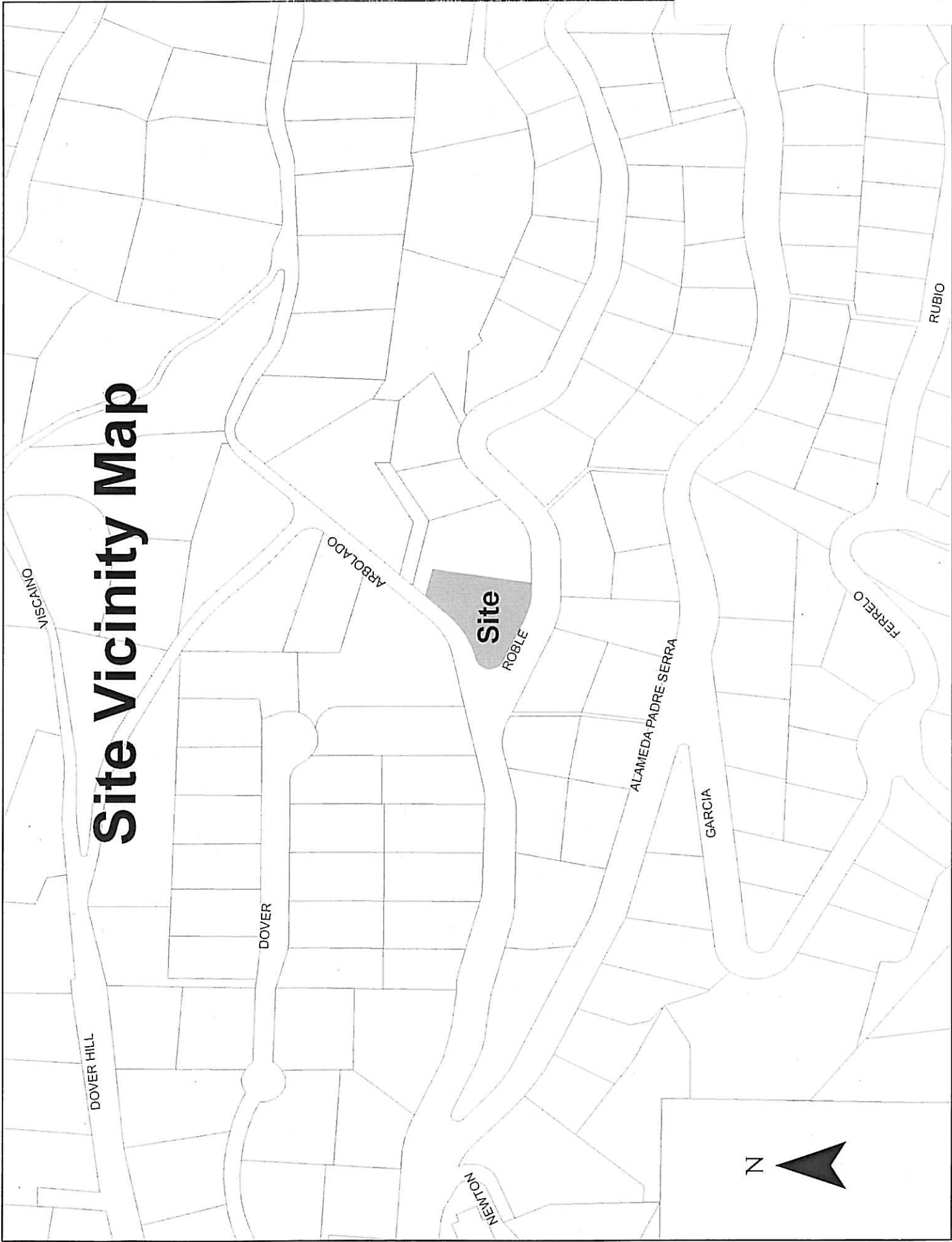


Jacqueline Page
1054 Arbolado Rd.
Santa Barbara, Ca 93103
805-962-1825



Joyce Searls
1278 Dover Rd.
Santa Barbara, Ca 93103
805-570-1042

Site Vicinity Map



SINGLE FAMILY DESIGN BOARD MINUTES- October 15, 2007

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

4. 1057 ARBOLADO RD E-1 Zone
 (5:00) Assessor's Parcel Number: 019-241-013
 Application Number: MST2007-00462
 Owner: Ann S. De Bruyn Kops
 Applicant: Mike Gones

(Proposal for additions and alterations to an existing one-story 2,024 square foot single-family residence located on a 13,504 square foot lot in the Hillside Design District. Proposed are first-floor additions of 516 square feet, a new 893 square foot second-story, replace all roofing, complete exterior remodel, and repaving the driveway, and 50 cubic yards of fill grading. The project will result in a 3,433 square foot structure which is 82% of the maximum allowable FAR. Staff Hearing officer approval of a modification to encroach into the front yard setback is requested.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND STAFF HEARING OFFICER APPROVAL OF A MODIFICATION.)

(5:01)

Present: Mike Gones, Applicant; Paul and Ann De Bruyn Kops, Owners.

Public comment opened at 5:14 p.m. The following individuals expressed concern:

1. Derek Westen, Attorney representing neighbors; project is not designed sensitively.
2. Brad Simon, resident: opposed to project height.
3. Gaile Baratto, resident: loss of views.
4. Nick Svensson, resident: loss of views.
5. Jacqueline Page, resident: loss of views.
6. Nancy Kaplan, visitor: loss of views.
7. Doug McElwain, resident: mass, and change of views.
8. Elaine Daugherty, visitor: size impacts.
9. Cliff Hickman, Designer: view impacts.
10. Chris Kamen, resident: loss of backyard privacy.
11. Dory Turk-Kamen: sensitivity for privacy.
12. Joyce Searles, resident: project sets a precedent for the area.
13. Bruce Morrow, resident: loss of views; encouraged a Board site visit.
14. Marge Graves, resident: privacy and views of the neighborhood.
15. Justina Evans, resident: concerned about loss of views.
16. Jeff Evans, resident: proposal does not blend into the neighborhood.
17. Jack Hewitt, resident: view protection needed, per SFDB Guidelines.
18. Diane Hall, resident: loss of views.
19. Steve Buchanan, resident: requested that applicant meet with neighbors.

Public comment closed at 5:44 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:

- 1) Restudy the design to reduce the size, bulk, and scale, particularly the tower and stair area.
- 2) Provide dimensions from the property line to any proposed decks.
- 3) If the applicant retains the two-story concept, the Board will require story poles.

Action: Bernstein/Woolery, 6/0/0. Motion carried. (Deisler absent.)

SINGLE FAMILY DESIGN BOARD MINUTES - May 12, 2008

SFDB-CONCEPT REVIEW (CONT.)

6. 1057 ARBOLADO RD E-1 Zone
(6:15) Assessor's Parcel Number: 019-241-013
 Application Number: MST2007-00462
 Owner: Ann S. De Bruyn Kops
 Engineer: Mike Gones

(This is a revised project description: Proposal for additions and alterations to an existing one-story 2,024 square foot single-family residence located on a 13,504 square foot lot in the Hillside Design District. Proposed are first floor additions of 374 square feet, a new 596 square foot second story with 346 square foot deck, replace all roofing, complete exterior remodel, and repaving the driveway, and 50 cubic yards of fill grading. The project will result in a 2,840 square foot structure which is 68% of the maximum allowable FAR. Staff Hearing Officer approval of a modification to encroach into the front yard setback is requested.)

(Second Concept Review. Story poles will be installed prior to the hearing. Comments only; project requires environmental assessment and Staff Hearing Officer approval of a modification.)

(Time: 5:59)

Present: Jeff Shelton, Architect; Mike Gones, Engineer, Ann and Paul S. De Bruyn Kops, Owners, and City staff person Heather Baker, AICP Project Planner.

Ms. Baker reminded the Board to keep in mind that there are different levels and gradients of significance of public views. Not all public views are protected.

Public comment opened at 6:14 p.m. The following people spoke in opposition to the project:

- 1) Carol Ostruft: addressed preservation of the neighborhood.
- 2) Bill Yule: addressed two-story construction, 2 business day notification.
- 3) Henning Jensen: addressed second story poles from Roble Lane, elevation above the street.
- 4) Cliff Hickman: designed two home across street, addressed blocked public views, architectural styling at prominent location.
- 5) Frank Hughes: addressed second story poles, appropriateness of structure size to neighborhood and architecture.
- 6) Cindy Travis: addressed blockage of private view.
- 7) Patrick Hall: addressed massing of second story toward back of lot to alleviate public concerns.
- 8) Jeff Evans: addressed second story poles, sensitive location, massing.
- 9) Nancy Caplan, for Jackie Page: addressed blockage of private views, and lack of advanced notification.
- 10) Bruce Morrow: regular walker, addressed visual impact of second story poles and massing of proposed project.
- 11) Julie Morrow: addressed second story massing and scale not fitting into scale of neighborhood.
- 12) Joyce Searls: addressed appropriate development scale, provided picture of site.
- 13) Janice Meaden: addressed horizontal sweep of private views, out-of-scale vertical building.
- 14) Derek Westin, representing several residents: addressed applicant's lack on working with neighbors, impressed with public turnout despite short notification, loud design needs to be muted, and lowering of the plate heights, easterly neighbor (Chris Kamen) concerned with privacy issues and would like the project conditioned to keep the bamboo barrier screening.
- 15) Jack Hewitt: addressed incompatibility due to large scale or development, loss of natural resources, private views, and privacy (keep bamboo hedge).
- 16) Bob Johnson: addressed short notification, fill on hillside lot which should be nestled instead, neighborhood incompatibility and out of scale structure, and blocked private views and ocean vistas.
- 17) Paul Cashman, President of Riviera Association: addressed neighborhood compatibility and opportunity for public input to preserve private views.

Public comment closed at 6:45 p.m.

The Chair explained that the Board has no authority to preserve private views.

Straw vote: Can you support a two-story element on this property? 6/0

Motion: Continued indefinitely to Full Board, with the comment to restudy the two-story element to reduce the height as much as possible.

Action: Woolery/Bernstein, 6/0/0. Motion carried. (Zink absent.)

Chair Mahan announced the 10 day appeal period to City Council.

Board Comment: One Board member stated he believed the height of the structure is currently acceptable and would like to see the project move forward.

Staff Note: Modified story poles are to remain up for a future site visit. Staff will notify the Board.

SINGLE FAMILY DESIGN BOARD MINUTES - May 27, 2008

SFDB-CONCEPT REVIEW (CONT.)

5. 1057 ARBOLADO RD E-1 Zone
(5:55) Assessor's Parcel Number: 019-241-013
Application Number: MST2007-00462
Owner: Ann S. De Bruyn Kops
Architect: Jeff Shelton

(This is a revised project description: Proposal for one and two-story additions and alterations to an existing one-story 2,024 square foot single-family residence located on a 13,504 square foot lot in the Hillside Design District. Proposed are first-floor additions of 652 square feet, a new 698 square foot second-story, and a 581 square foot second-story deck, replace all roofing, complete exterior remodel, repaving the driveway, and 50 cubic yards of fill grading. Staff Hearing Officer approvals of modifications for additions and alterations in the front yard setback and to provide part of the open yard in the front yard are requested. The proposed total of 3,220 square feet is 77% of the maximum allowable FAR.)

(Third Concept Review. Revised story poles will be installed prior to the hearing. Comments only; project requires environmental assessment and Staff Hearing Officer approval of modifications.)

(6:26)

Present: Jeff Shelton, Architect; Paul and Ann S. De Bruyn Lops, Owners.

Public comment opened at 6:35 p.m.

- 1) Cliff Hickman, opposed. Concerned about first-floor height, prefers lowering one additional foot.
- 2) Cindy Travis, opposed. Proposed deck will be too close to the neighboring property.
- 3) Lisa Reich, opposed. Concerned with scale; enforcement of good neighbor guidelines; negative precedent.
- 4) Chris Kamen, in favor. No opposition to the project.
- 5) Bob Black, opposed. Second-floor is too large and obtrusive to views; height is oppressive.
- 6) Jacqueline Page, neighbor, opposed. Views and privacy will be impacted. Patio is inconsistent with NPO Guidelines.
- 7) Patrick Hall, opposed. Project does not comply with NPO Guidelines. Massing should be moved to other side of lot.
- 8) Joyce Searls, neighbor, opposed. Relocating the mass and view deck will preserve views and privacy.
- 9) Dee Elias, opposed. Addressed quality of life concerns, privacy and tranquility.
- 10) E-mail from L. Robert Johnson addressing fill grading, privacy, loss of public views, owner's uncooperativeness.

Public comment closed at 6:59 p.m.

How many can support the modification request? 5/1

Motion: Continued indefinitely to the Staff Hearing Officer with the following comment:
The Board supports the front yard setback modification requests.

Action: Woolery/Carroll, 5/0/1. Motion carried. (Bernstein abstained. Mosel absent.)

SINGLE FAMILY DESIGN BOARD MINUTES- September 15, 2008

PRELIMINARY REVIEW

5. 1057 ARBOLADO RD

E-1 2

Assessor's Parcel Number: 019-241-013
Application Number: MST2007-00462
Owner: Ann S. De Bruyn Kops
Architect: Jeff Shelton

(This is a revised project description: Proposal for one and two-story additions and alterations to an existing one-story 2,024 square foot single-family residence located on a 13,504 square foot lot in the Hillside Design District. Proposed are first floor additions of 652 square feet, a new 698 square foot second-story, and a 581 square foot second-story deck, replace all roofing, complete exterior remodel, repaving the driveway, and 50 cubic yards of fill grading. Staff Hearing Officer approvals of modifications for additions and alterations in the front yard setback and to provide part of the open yard in the front yard are requested. The proposed total of 3,220 square feet is 77% of the maximum allowable FAR.)

(Project requires compliance with Staff Hearing Officer resolution 052-08.)

Time: 5:55

Present: Jeff Shelton, Architect; Peter De Bruyn Kops, owner's son.

Public comment opened at 6:02 p.m.

1. Bill Yule, opposed to the roof deck; roof should blend, roof decks attract potted plants.
2. Derek Westen, concerned about the party deck as entertainment space. Appreciates opening of the view corridor.
3. Cliff Hickman, opposed: concerned roof deck loses privacy for neighbors; flat tile roof is invitation for children and others. Concerned about loss of views and privacy.
4. Jack Hewett, opposed: the flat roof is 2-3 feet above the contiguous roof lines. No other home in the area has more than 2 fireplace-like protrusions. A municipal ordinance limits shrubs to 8 feet, therefore nonconforming obstruction to public views.
5. Joyce Searls, opposed: the overgrown vegetation obstructs the true mass of the project. Neighbors would like to be involved prior to Board meetings.
6. Nancy Kaplan, opposed: concerned about loss of privacy.
7. Don Graves, opposed: suggested communication with neighbors for good relations.
8. Written comments in opposition from Marge Graves were acknowledged.
9. Cindy Travis, opposed to the party deck. The fourth deck is not necessary and obstructs neighbor's views.
10. Jacqueline Page, opposed (submitted photos) concerns about interference with the public view corridor; panoramic views are not necessary for applicant; invasion of privacy; potted plants are removable; suggested eliminating the party deck and flat roof area and lowering all chimneys.

Public comment closed at 6:25 p.m.

Straw vote: How many can support the small deck over the front entry? 2/4.

Straw vote: How many can support the larger deck on south side of the ridge as designed? 5/1.

Motion: Continued two weeks to Full Board with the following comments:

- 1) The small "sunset" deck over the front entry is not supportable. Redesign the roof element between the garage and house.
- 2) The larger, south deck should not extend west beyond the kitchen wall.
- 3) Restudy the heights and number of vertical projections and chimneys in the design.
- 4) Provide a color board and color material samples, including deck tile materials.

Action: Woolery/Mosel, 6/0/0. Motion carried. (Mahan absent.)

SINGLE FAMILY DESIGN BOARD MINUTES - September 29, 2008

PRELIMINARY REVIEW

4. **1057 ARBOLADO RD E-1 Zone**
 Assessor's Parcel Number: 019-241-013
 Application Number: MST2007-00462
 Owner: Ann S. De Bruyn Kops
 Architect: Jeff Shelton

(This is a revised project description: Proposal for one and two-story additions and alterations to an existing one-story 2,024 square foot single-family residence located on a 13,504 square foot lot in the Hillside Design District. Proposed are first-floor additions of 652 square feet, a new 698 square foot second-story, and a 581 square foot second-story deck, replace all roofing, complete exterior remodel, repaving the driveway, and 50 cubic yards of fill grading. Staff Hearing Officer approvals of Modifications for additions and alterations in the front yard setback and to provide part of the open yard in the front yard are requested. The proposed total of 3,220 square feet is 77% of the maximum allowable FAR.)

(Fifth Concept Review. Project requires compliance with Staff Hearing Officer Resolution No. 052-08.)

Time: 5:29

Present: Jeff Shelton, Architect; Paul and Ann De Bruyn Kops, Owners.

Public comment opened at 5:40 p.m.

1. Bill Yule, opposed to roof decks on the Riviera.
2. Jack Hewett: opposed to the use of decks; size of party deck; 48 inch parapet doesn't make sense, future owner might install irrigation lines; suggested installation of rounded skylight.
3. Derek Westen: opposed, acknowledged progress made to date; suggested having a narrower outdoor deck and stepping the ridge; concerned that the "boxy" parapet element will obstruct neighbor's ocean views.
4. Joyce Searls: the project has improved, but the parapet area is jarring.
5. A letter in opposition from Paula Westbury was acknowledged.

Public comment closed at 5:54 p.m.

Motion: Preliminary Approval of the project as a basis for working drawings with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code return to Full Board for in-progress review with the following conditions:

- 1) Study the skylight detail.
- 2) Study the parapet roof above the entry to be less deep.
- 3) Provide tile, colors, and details.
- 4) Project provides consistency of appearance, compatible with neighborhood, quality of architecture and materials.

Action: Woolery/Deisler, 4/1/0. Motion carried. (Bernstein opposed. Carroll absent.)

The ten-day appeal period was announced.

Staff Hearing Officer Minutes- July 2, 2008

ACTUAL TIME: 1:48 P.M.

D. APPLICATION OF JEFF SHELTON, AGENT FOR ANN DE BRUYN KOPS, 1057 ARBOLADO ROAD, APN 019-241-013, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00462)

The project site is currently developed with a single-family residence with attached garage. The proposed project involves a major remodel, site improvements, new deck, and 1,200 square feet of first and second floor additions. The discretionary applications required for this project are Modifications to permit alterations and additions within the required front setback and open yard areas (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Paul De Bruyn Kops, Property Owner, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Reardon requested staff and the applicant to clarify whether the proposed project is a demolition and rebuild or an addition to the existing house, to which the applicant clarified that the proposed project was a partial demolition, rebuild, and addition.

The Public Hearing was opened at 1:56 p.m.

Mr. Chris Kamen expressed concern regarding height of the proposed project, but generally supports the project.

Ms. Joyce Searls expressed concern regarding height of the new roof of the garage compared to the existing roof, and supports a pulled back or recessed second story element for improved public view corridor of the ocean. The applicant confirmed that the garage foot print and the height of the garage roof would remain the same.

Mr. Cliff Hickman expressed concern regarding the height of the new garage and accurate detailed drawings and elevations of the proposed project.

Ms. Jacqueline Page expressed concern regarding second story and garage height of the proposed project, and would prefer the structure moved further back into the property to improve the public view corridor.

The Public Hearing was closed at 2:06 p.m.

Ms. Milazzo clarified that the second story of the proposed project did not require modification relief.

Ms. Reardon clarified that she would only act on the presented modification requests regarding filling in the area between the house and the garage, the alterations of the walls of the walls of the garage in the front setback, and the encroachment into the open yard.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and observed the story poles and surrounding neighborhood along Roble Lane.

Ms. Reardon concurred with staff that filling in the area in the front setback does not encroach any further into the front yard and is located behind existing structures within the setback and is supportable, that the alterations to the garage walls are supportable since they do not increase the building footprint nor intensify the use of the garage, and use of a secondary front yard as open yard on such a constrained lot is also acceptable.

Mr. Kato proposed to add the condition that the height of the garage roof would not change from what is existing.

ACTION:

Assigned Resolution No. 052-08

Approved the Modifications as proposed, making the findings necessary to secure appropriate improvements on the lot that are consistent with the purposes and intent of the Zoning Ordinance, such that: 1) The proposed addition in the front setback located behind an existing portion of the house that is-already located in the setback and would not encroach closer to the street and further into the front setback; 2) The proposed alteration to the existing garage would not change the building footprint of the garage nor intensify the existing use of the garage; and 3) The resultant open yard meets open yard requirements contained in the Ordinance that the Ordinance Committee has reviewed and recommended that City Council Introduce and Adopt. This approval is subject to the conditions that: 1) The proposed height of the garage roof would not change; and 2) Transportation Division staff to review the landscaping improvements in the driveway area for safety and visibility concerns.

Ms. Reardon announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

Summary of reviews for 1057 Arbolado Road

Date	10/15/07	5/12/08	5/27/08	7/2/08	9/15/08	9/29/08
Action	SFDB cont.	SFDB cont.	SFDB cont.	SHO mods apvd.	SFDB cont.	SFDB apvd.
Total net s.f. (change)	3,433	2,840 (- 593)	3,220 (+ 380)	3,220 (no change)	3,091 (- 129)	3,091 (no change)
2 nd floor net s.f. (change)	893	596 (- 297)	698 (+ 102)	698 (no change)	636 (- 62)	636 (no change)
2 nd floor decks (change)	285 s.f.	346 s.f. (+ 61)	581 (+ 235)	581 (no change)	277 (- 304)	331 (+ 54)
Building height (change)	26 ft.	25 ft. (- 1)	21.75 ft. (- 3.25)	21.75 ft. (no change)	21.75 ft. (no change)	21.75 ft. (no change)
% max. FAR	82	68	77	77	74	74

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Santa Barbara City Council
c/o City Clerk's Office
PO Box 1990
Santa Barbara, CA 93102-1990

Date: November 19, 2008

Subject: Nov 25, 2008 City Council Meeting
Appeal of SFDB Approval of MST2007-00462

City Council:

I live in the Upper Eastside and walk on Arbolado Rd 3-4 times a week.

The reason I walk Arbolado Rd. and the Riviera are the magnificent public city views.

I am opposed to the extra rooftop deck on the proposed residence. It will block and clutter up the public view from the street, especially when umbrellas, furniture, BBQs, arbors, trellis and plants are added.

In the words of the chairman of the *Single Family Design Board*, in one of the hearings, "Roof Top Decks do not belong on the Riviera".

If the owners want an outdoor entertainment area with a view, the entire first floor exterior patio offers great views and is adjacent to kitchen, bath, dining and living facilities. Appraisers would technically call the 2nd deck"misplaced" or "functionally obsolescent".

The proposed addition already has a "view deck", with the deck located off the new 2nd floor bedroom.

In my 25 years of experience as a real estate appraiser, I can not remember seeing such a misplaced, functionally obsolescent, unnecessary deck.

Thank You and please do not allow the extra roof top deck to clutter up the view of the walking and driving public.

This house does not need two decks.

Bill Yule